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IN THE

Supreme Court of the United States

OCTOBER TERM, 1952

No. 748

OUNER ANDERSON PATTERSON, *Petitioner*

vs.

ROSETTA ANDERSON, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF PHILIP ANDERSON, DECEASED, *Respondent*

BRIEF FOR ROSETTA ANDERSON, ET AL, IN OPPOSITION

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Rocky Mount, Virginia
Of Counsel

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OPINION BELOW

The opinion of the Supreme Court of Appeals of Virginia is reported at 194 Virginia 557 (not published as yet.)

JURISDICTION

The judgment of the Supreme Court of Appeals of Virginia was entered on the 26th day of January, 1953. No Petition for re-hearing was ever filed. The jurisdiction of this Court is invoked under 28 U. S. C. Section 1257 (3) as amended by 62 stat. 929 (1948). (This section of the Code was re-enacted in 1948 but not amended).

No Federal question was raised in this case in

the lower Court or the Supreme Court of Appeals of Virginia, and this Court is without jurisdiction in the premises. Cleveland & Pittsburgh Railroad Company v. Cleveland, 235 US 50; Hiawassee River Power Company v. Carolina-Tennessee Power Company, 252 US 341.

CONCLUSION

The decision below is correct, and presents no conflict of decisions, no Federal question, and no question of importance. It is respectfully submitted that the Petition for a writ of certiorari should be denied.

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